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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/821,555	03/28/2001	Daniel Watkins	00-656	5860

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LSI LOGIC CORPORATION
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EXAMINER

WOO, STELLA L

ART UNIT	PAPER NUMBER
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2643

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DATE MAILED: 09/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/821,555

Applicant(s)

WATKINS, DANIEL

Examiner

Stella L. Woo

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3-4, 15, 17, 19-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Izawa et al. (US 5,444,785, hereinafter “Izawa”).

Regarding claims 1, 3-4, 15, 19-20, Izawa discloses an apparatus comprising:

an input (microphone receives an audio input signal; col. 7, line 27; col. 8, lines 55-59);

a noise cancellation circuit (logarithmic amplifier circuit 10 restricts external noise picked up by the microphone; col. 7, line 31 – col. 8, line 66) ;

an audio circuit (music is generated from a karaoke device; col. 1, lines 19-35); and
mixing circuit (col. 7, lines 29-33; col. 8, lines 64-66).

Regarding claim 17, Izawa teaches a recording circuit (col. 5, lines 36-39).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2, 10-12, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Izawa over Mino et al. (US 6,139,329, hereinafter "Mino").

Izawa differs from claims 2, 10-12, 18 in that it does not specify a DVD system. However, Izawa does teach use with various audio devices, such as a Karaoke device, VTR, stereo device, etc. (col. 1, lines 10-17) and Mino teaches the well known use of a DVD player (11) in a karaoke system (col. 6, lines 62-63; Figure 1) such that it would have been obvious to an artisan of ordinary skill to incorporate the use of a DVD player, as taught by Mino, as the media player within the karaoke system of Izawa.

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Izawa in view of Mino, as applied to claim 2 above, and further in view of Shin (US 5,668,339).

The combination of Izawa and Mino differs from claim 8 in that it does not address voice cancellation. However, Shin teaches the desirability of providing a karaoke user with the option of canceling the recorded singer's singing voice (col. 12, lines 27-30) such that it would have been obvious to an artisan of ordinary skill to incorporate such voice cancellation, as taught by Shin, within the combination of Izawa and Mino in order to provide the karaoke user with the option of singing along with only the music accompaniment.

6. Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Izawa in view of Nagata et al. (US 5,729,614, hereinafter "Nagata").

Izawa differs from claims 5-7 in that it does not teach optionally enabling the noise cancellation. However, Nagata teaches the desirability of allowing for operator selection and adjustment of noise cancellation in a karaoke system (col. 2, lines 32-37; col. 5, line 40 – col. 6, line 48) such that it would have been obvious to an artisan of ordinary skill to incorporate such

operation selection and adjustment of noise cancellation, as taught by Nagata, within the karaoke system of Izawa in order to allow for selective adjustment by the karaoke user.

7. Claims 9, 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Izawa in view of Mino, as applied to claim 2 above, and further in view of Nagata for the same reasons given above with respect to claims 5-7.

8. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Izawa in view of Mino, as applied to claim 2 above, and further in view of Brinkman et al. (US 6,740,803, hereinafter "Brinkman").

The combination of Izawa and Mino differs from claim 16 in that it does not specify a browser based audio. However, Brinkman teaches the desirability of receiving karaoke audio over the Internet via a web site (col. 14, line 51 – col. 15, line 23) such that it would have been obvious to an artisan of ordinary skill to incorporate the use of browser based audio, as taught by Brinkman, within the karaoke system of Izawa and Mino in order to provide a greater selection of songs from which to choose by accessing a remote database.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hirai shows a karaoke system with voice canceling. Eastty, Nagata et al., and Ito show other noise canceling karaoke systems.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stella L. Woo whose telephone number is (703) 305-4395. The examiner can normally be reached on Monday-Tuesday, Thursday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (703) 305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Stella L. Woo', with a stylized, flowing script.

Stella L. Woo
Primary Examiner
Art Unit 2643